

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

DEMETRIUS JOHNSON,

Plaintiff,

v.

REYNALDO GUEVARA, the ESTATE of
ERNEST HALVERSON, DARRYL DALEY,
WILLIAM ERICKSON, JOHN HEALY, and
the CITY OF CHICAGO

Defendants.

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) Case No. 20 cv 4156
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) Judge Sara L. Ellis
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) Magistrate Judge Heather K. McShain
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) JURY TRIAL DEMANDED

**DEFENDANTS HALVORSEN, DALEY, ERICKSON AND HEALY’S UNOPPOSED
MOTION TO FILE OVERSIZED REPLY MEMORANDUM IN SUPPORT OF
SUMMARY JUDGMENT**

Defendants Darryl Daley, Geri Lynn Yanow, as special representative for William Erickson (deceased), Ernest Halvorsen (deceased), and John Healy (deceased) (“Movants”), by their undersigned counsel, respectfully move for leave to file an oversized reply memorandum in support of their Motion for Summary Judgment, and state:

1. On April 12, 2024, Defendants Halvorsen, Daley, Erickson and Healy moved for summary judgment on all of Plaintiff’s claims. (Dkt. 311.) Movants sought leave to file their respective memorandum of law in support of summary judgment in excess of fifteen (15) pages, (Dkt. 312), which the Court granted. (Dkt. 322.)

2. On June 11, 2024, Plaintiff filed a single, consolidated response in opposition to Defendants’ motions for summary judgment totaling 168 pages, and a Statement of Additional Disputed Facts which includes 475 paragraphs and 66 sub-paragraphs, amounting to 541 paragraphs in total. (Dkt. 340.) Approximately 283 of the paragraphs are directed towards the

Individual Defendant Officers; the remaining 258 paragraphs (inclusive of sub-paragraphs) are directed towards the City. (Dkt. 340.)

3. Plaintiff dedicates approximately 126 pages of his 168-page consolidated response towards the Individual Officer Defendants (Dkt. 341) with the remainder directed in response to the City's arguments. *See generally, id.*

4. Movants recognize the Court's time is valuable and have tried to be efficient in delineating their arguments and have edited the argument sections of their reply memorandum in an attempt to remove unnecessary arguments. Notwithstanding that effort, given the number of parties, the claims and theories of liability alleged by Plaintiff, the complexity of the issues presented and Plaintiff's lengthy response brief, Movants' Memorandum exceeds the fifteen-page limit set by the local rules.

5. Accordingly, Movants request leave to file their Reply Memorandum of Law in Support of Summary Judgment in excess of the fifteen-page limitation, up to and including 90 pages for these four Movants. Attached hereto as Exhibit A is a copy of Movants' Reply Memorandum of Law in Support of Summary Judgment.

6. On August 9, 2024, Defense counsel reached out to Plaintiff's counsel via email regarding the substance of this Motion who does not oppose this motion.

WHEREFORE, Defendants Halvorsen, Daley, Erickson and Healy respectfully request this Court enter an order granting them leave to file an oversized Reply Memorandum of Law in Support of their Motion for Summary Judgment.

Dated: August 9, 2024

Respectfully Submitted,

/s/ Josh M. Engquist

Josh M. Engquist, Atty. No. 6242849

Special Assistant Corporation Counsel

*One of the Attorneys for Defendants Daley,
Halvorsen, Erickson, and Healy*

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CERTIFICATE OF SERVICE

I, Josh M. Engquist, certify under penalty of perjury pursuant to 28 U.S.C.A. § 1746 that the foregoing is true and correct, that on Friday, August 9, 2024, I electronically filed the foregoing **Defendants Halvorsen, Daley, Erickson and Healy's Unopposed Motion to File Oversized Reply Memorandum in Support of Summary Judgment** with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the attorneys of record on the below Service List:

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